



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Agency Secretary

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Governor

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Jorge Magana
City of Long Beach Department of Public Works
333 West Ocean Boulevard
Long Beach, CA 90802

WATER QUALITY CERTIFICATION FOR PROPOSED AQUALINK LANDING AT ALAMITOS BAY PROJECT (Corps' Project No. 2006-00764-KW), ALAMITOS BAY, CITY OF LONG BEACH, LOS ANGELES COUNTY (File No. 06-071)

Dear Mr. Magana:

Regional Board staff has reviewed your request on behalf of City of Long Beach Department of Public Works (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on May 8, 2006.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Dana Cole, Section 401 Program, at (213) 576-5733.

[Original signed by]
Jonathan S. Bishop
Executive Officer

June 29, 2006
Date

California Environmental Protection Agency



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Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

DISTRIBUTION LIST

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ATTACHMENT A

Project Information

File No. **06-071**

1. Applicant: City of Long Beach Department of Public Works
333 West Ocean Boulevard
Long Beach, CA 90802

Phone: (562) 570-6678 Fax: (562) 570-6012
2. Applicant's Agent: Rafael Holcombe
Tetra Technology Incorporation
401 East Ocean Boulevard, Suite 420
Long Beach, CA 90802

Phone: (562) 495-0495 Fax: (562) 495-5029
3. Project Name: Aqualink Landing at Alamitos Bay
4. Project Location: Long Beach, Los Angeles County

Longitude: 118.1143; Latitude: 33.7478
Longitude: 118.1148; Latitude: 33.7478
Longitude: 118.1148; Latitude: 33.7473
Longitude: 118.1143; Latitude: 33.7473
5. Type of Project: Dock construction
6. Project Description: *Purpose:*
To provide a suitable landing for the Aqualink Vessel and the AquaBus, which would increase the flow of traffic between Alamitos Bay, Belmont Shore and the Downtown area.

Description:
The project entails removing a portion of the existing north dock and placing a new timber floating dock in its place. The new access will consist of a new gangway that will span from the existing revetment to the new floating dock.

Eight piles will be used: four new 24-inch diameter round concrete guide piles, one new 18-inch diameter concrete bearing pile to

ATTACHMENT A

Project Information

File No. **06-071**

support the gangway at the revetment, and three existing 24-inch diameter round concrete guide piles. The new dock will be 56 feet long by 26 feet wide. The new dock will be in the same alignment as the existing concrete dock. The new gangway will be 88 feet long made of aluminum construction. The new landing will be a concrete platform, 9 feet wide that will mirror the shape of the existing concrete platform, and will be structurally independent from the existing landing.

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|--|---|
| 7. Federal Agency/Permit: | U.S. Army Corps of Engineers
Letter of Permission (LOP), Section 10
Project No. 2006-00764-KW |
| 8. Other Required Regulatory Approvals: | California Coastal Commission (CCC) Coastal Development Permit |
| 9. California Environmental Quality Act Compliance: | The proposed project is Categorically Exempt from CEQA pursuant to the CEQA Guidelines, Section 15301 (Existing Facilities). |
| 10. Receiving Water: | Alamitos Bay (Hydrologic Unit No. 405.12) |
| 11. Designated Beneficial Uses: | IND, NAV, REC-1, REC-2, COMM, EST, MAR, WILD, RARE, SHELL, WET |
| 12. Impacted Waters of the United States: | Ocean/Estuary/Bay: 0.031 permanent acres (56 linear feet) |
| 13. Dredge Volume: | None |
| 14. Related Projects Implemented/to be Implemented by the Applicant: | Dredging of the Alamitos Bay Entrance Channel:

CCC permit #5-99-228 permits dredging and beach nourishment of the Alamitos Bay entrance channel. |

ATTACHMENT A

Project Information File No. 06-071

CCC permit #93-33 requires a maintenance sediment sampling plan for the area every 5 years.

15. Avoidance/
Minimization
Activities:

The Applicant has proposed to implement several Best Management Practices (BMPs), including, but not limited to, the following:

- Below surface water jetting (jetting) will only be used if needed.
- If jetting is needed, it will only be used to pre-drill a guide hole for the pile in order to set the position correctly and prevent drift of the pile during installation.
- A silt screen will be utilized to reduce turbidity caused by the construction.
- Concrete piles will be manufactured off-site and delivered to the site.
- In order to protect the existing revetment, piles will be removed one at a time and re-installed, with replacement of the displaced materials immediately thereafter.
- Silt curtains will be utilized to minimize and localize turbidity during pile installation.

16. Required
Compensatory
Mitigation:

The Applicant will implement a pre- and post-construction survey for surfgrass, eelgrass and rocky habitat. Surfgrass, eelgrass or rocky habitat lost due to project impacts will be mitigated at a ratio of 1:1.

The Applicant shall submit to this Regional Board **Annual Monitoring Reports** documenting the success of all restoration and mitigation efforts, including, percent survival by plant species and percent cover. The reports shall include discussion of any monitoring activities and exotic plant control efforts. Representative photographs shall be included in the reports. The reports shall be submitted by **January 1st** of each year for a period of **five (5) years** after mitigation efforts begin.

ATTACHMENT A

Project Information

File No. **06-071**

It is not anticipated that the project activity will have a negative impact on waters of the United States. During the construction, all possible BMPs will be utilized in order to minimize impacts to waters. The impacts associated with this project are minimal and temporary in nature. Therefore, compensatory mitigation will not be required by the Regional Board to offset the impacts associated with this project.

See Attachment B Conditions of Certifications, Additional Conditions for modifications and additions to the above proposed compensatory mitigation.

ATTACHMENT B

Conditions of Certification File No. 06-071

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Coastal Commission (CCC) Coastal Development Permit. **These documents shall be submitted prior to any discharge to waters of the State.**
1. The Applicant shall adhere to the most stringent conditions indicated with either this certification, the ACOE Section 404 Permit, or the CCC Coastal Development Permit.
2. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*.
3. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 15, are incorporated as additional conditions herein.
4. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, the approved maintenance plan, and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

ATTACHMENT B

Conditions of Certification File No. 06-071

5. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
6. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses.
7. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
8. All waste and/or dredged material removed shall be relocated to a legal point of disposal if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact Rodney Nelson, Land Disposal Unit, at (213) 620-6119 for further information.
9. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
10. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.
11. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.
12. The Applicant shall not conduct any activities within waters of the state during a rainfall event, or at any period when site conditions would lead to excessive erosion. If any

ATTACHMENT B

Conditions of Certification File No. 06-071

activities are to be held within five (5) days of a predicted rainfall event, the Applicant shall stage materials necessary to prevent water degradation on site, and shall ensure that all stabilization procedures are completed prior to the rainfall event.

13. All project, construction, or maintenance activities not included in this Certification which may require a permit must be reported to the Regional Board for appropriate permitting.
14. The Applicant shall restore all areas of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the state. Restoration shall include grading of disturbed areas to pre-project conditions to the extent feasible. The Applicant shall implement appropriate Best Management Practices to control erosion and runoff from areas associated with this project.
15. The Applicant shall submit Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project area. Additionally, the Applicant shall submit a site description, including dimensions of project areas, and pre and post- project photographs.
16. All applications, reports, or information submitted to the Regional Board shall be signed:
 - (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.
 - (b) For a partnership, by a general partner.
 - (c) For a sole proprietorship, by the proprietor.
 - (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
17. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

“I declare under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed the system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Conditions of Certification
File No. 06-071

____ (Signature)
____ (Title)''

- (a) In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation

ATTACHMENT B

Conditions of Certification File No. 06-071

constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.

- (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
23. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.